

REMARKS

After the foregoing amendment, claims 1-9, 12-18, 21, and 22 are pending in the application. Claims 10, 11, 19 and 20 have been canceled to overcome the Examiner's rejection under 37 CFR 1.83(a).

Applicant respectfully requests additional consideration and review of the claims in view of the foregoing amendment and the following remarks.

Objection To the Abstract

The Examiner has objected to the Abstract for exceeding 150 words in length. Applicant has replaced the Abstract with a new Abstract to provide the proper word length. Applicant respectfully requests reconsideration and withdrawal of the objection to the Abstract.

Objection To the Drawings

The Examiner has objected to the drawings under 37 CFR 1.83(a) for failing to show every feature of the invention specified in the claims. The objection has been overcome by canceling claims 10, 11, 19, and 20 to eliminate these features of the invention from the claims. Also, Applicant proposes to correct a minor error in the equipment labels for Figure 1. As clearly mentioned on page 6, lines 3 and 7 of the specification, element 74 is properly labeled as a demultiplexer and element 80 is properly labeled as a multiplexer.

Applicant has attached hereto a replacement drawing sheet for FIG. 1 correcting the aforementioned minor error.

In view of the foregoing, Applicant respectfully requests the objection to the drawings under 37 CFR 1.83(a) be withdrawn.

Claim Rejections Under 35 USC §§102 (e)

The Examiner has rejected claims 1, 2, 10-13, and 19-21 under 35 USC § 102(e) as being anticipated by Sakamoto et al (US patent No. 6,490,064). Applicant respectfully traverses this rejection.

An important aspect of Applicant's invention is the use of an optical filter that is transmissive to signals traveling in a first direction to one transport path and reflective to signals traveling in an opposite direction to a separate transport path, as indicated, for example, at page 4, line 6 through page 5, line 10 in Applicant's specification. This technique provides signal separation and much lower insertion loss than other techniques.

Claim 1 points out this important aspect of the invention at, for example, lines 10-12 wherein it is indicated that the recited optical filter is "*substantially transmissive to optical signals of said first band ...and... substantially reflective for signals of said second band.*" Similar recitations further appear in claim 1 at lines 19-21, as well as in claim 12, lines 11-18, and claim 21, lines 11-21.

Similar to Applicant, Sakamoto provides a bi-directional system with two oppositely directed signals converging on an optical filter, as shown in Sakamoto's Figures 16 and 18, and mentioned in column 13, lines 16-39 and column 13, lines 58-64 of Sakamoto's specification. However, there is nothing in Sakamoto that shows or suggests that Sakamoto's filter/circulator carries out a separation function using a reflection mechanism. Sakamoto makes no mention of a reflection port and it cannot be assumed from the patent that one exists. Therefore, Sakamoto cannot be said to anticipate the above-noted recitations in claims 1, 2, 10-13, and 19-21.

In view of the foregoing, Applicant respectfully requests that the rejection under 35 USC §102(e) be withdrawn.

Rejections Under 35 USC § 103(a)

The Examiner has rejected claims 3, 18, and 22 under 35 USC § 103(a) as being unpatentable over Sakamoto et al (U.S. Patent No. 6,490,064) in view of Kakui (US patent 6,549,315). Also, the Examiner has rejected claims 4-7, 14, and 15 as being unpatentable over Sakamoto et al (U.S. Patent No. 6,490,064) in view of Alexander (US patent 6,233,077), and claims 8, 9, 16, and 17 under 35 USC § 103(a) as being unpatentable over Sakamoto et al (U.S. Patent No. 6,490,064) in view of Alexander (US patent 6,281,997).

Whether or not it would have been obvious to combine Sakamoto with Kakui and Alexander in the manner suggested in the Office Action, it is submitted that each of these claims is allowable based on the discussion above relative to their respective independent base claims 1, 12, and 21.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 103(a) rejection of claims 3-9, 14-18, and 22.

New Claims

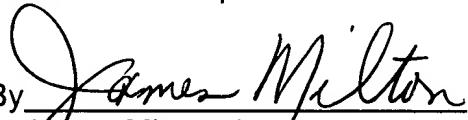
New claims 23-30 have been added. These claims include limitations directed to the above-described distinguishing aspects of the invention and are submitted to be patentable for the reasons stated hereinabove.

Conclusion

In view of the foregoing amendments and remarks, Applicant submits that claims 1-9, 12-18, 21, and 22, as well as new claims 23-30 are in condition for allowance, and reconsideration is therefore respectfully requested. If there are any outstanding issues that the Examiner feels may be resolved by way of a telephone conference, the Examiner is invited to contact the undersigned to resolve the issues.

Respectfully submitted,

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Atts.

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Mail Stop Fee Amendment,
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 1, 2003.


Tamika R. Gatson

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